



Your guide to Jury Service

Introduction

Since April 2004, for the first time, nearly everybody on the electoral register in England and Wales from the ages of 18 and 70 is eligible to serve on a jury. Each year, approximately 200,000 people perform this vital public duty. Your name was randomly selected by a computer at the Jury Central Summoning Bureau from an electronic copy of the electoral register, which is supplied by the Local Authority where you live. Randomly selecting names from such a large pool of potential jurors helps ensure that those called for jury service reflect the community from which they are drawn.

As most people who are selected for jury service are doing it for the first time, this booklet has been produced to help you prepare and explain what is involved.

More general information can be found at www.gov.uk/jury-service

It is hoped that this booklet will answer most of your questions. If you have further queries, please contact the Jury Central Summoning Bureau on 0300 456 1024 until a week before your jury service is due to begin. After that time, you should contact the jury manager of the Crown Court to which you have been summoned whose number will be shown on the local information leaflet sent to you with this booklet. Please state your name and juror number found on the top of the Jury Summons form when contacting the bureau or the court.

The vital role jurors play

Jurors are required to decide the outcome of trials in the Crown Court. They hear the more serious criminal trials such as theft, burglary and drugs offences. Jurors may also be required to hear cases such as murder and rape, although these are less common. As a juror, you will be asked to decide, on the evidence presented to you in court, whether the person charged with an offence is guilty or not.

Everyone has unique experiences to bring to a jury. The experiences and knowledge of those summoned will differ, yet each juror will be asked to consider the evidence presented and then determine whether or not the defendant is guilty in the light of the judge's direction on the law.

When a jury reaches a verdict, it is not only making a decision that affects the individual defendant, it is also making a decision that affects the community. It is for this reason that jury service is regarded as one of the most important civic duties that anyone can be asked to perform. Few decisions made by members of the public have such an impact upon society as a jury's verdict. Your contribution is greatly appreciated.

Preparing for your first day

Jury service usually lasts for up to ten working days and it is important that you inform your employer, child carer or anyone else who might be affected by your absence. If a trial is likely to last longer you will be asked at the court if this would be difficult for you and you may be asked for evidence to prove this. The trial judge will decide whether you should be available for selection for that trial.

When you arrive at the court make sure you have pages 1 and 2 of your Jury Summons form with you plus another form of identification. Acceptable forms of ID are: full passport; photo driving licence; EU National Identity card; Home Office documents confirming UK immigration status; or, any two of the following – birth certificate (issued within six weeks of birth), credit card with three statements and proof of signature, cheque book and bank card with three statements and proof of signature, three utility bills showing correct name and address. Court staff will ask you to show these to confirm your identity when you arrive at court on your first day.

It is suggested that you dress comfortably. You should as you will be sitting down for a long time. There is no strict dress code, but you should dress appropriately.

Arrival time

It is important that you arrive on time but do bear in mind that, because of the complex nature of criminal trials, it is not always possible for the trial to begin at the exact time it is listed; for example, there may be legal issues to resolve before the trial begins.

Court staff will give you regular updates whilst you are waiting and you may wish to bring a book, newspaper or other personal pastime for periods when you may have to wait.

While you may bring your mobile phone or laptop computer for use in the jury assembly area, you are unlikely to be allowed to take them into the court or retiring room with you. The use of cameras or recording equipment is prohibited within all court buildings. Mobile phones with features such as cameras or recording equipment are permitted, but the additional features

must not be used in the court building. As court staff cannot take responsibility for these items if left in the jury assembly area, lockers are available for your use in most courts.

You may choose to bring your own lunch. Please refer to the local information leaflet enclosed with your confirmation letter for details on any local catering facilities available at the court. A daily allowance for food and drink can be claimed back after your jury service has finished. Please ask at the court if you require more information on this.

Security guards are likely to search anyone entering the court building. After this you will be directed to the jury assembly area.

Your first day at court

Once you have arrived at court and been shown to the jury assembly area, your identification will be checked. This is done to ensure that only those confirmed to attend jury service serve, and that no one else is using your identity.

Once all those summoned have arrived, you will be shown a video. The video will explain your role and responsibilities as a juror. It will go through the process of selecting jurors to serve on a trial. This includes taking an oath or making an affirmation.

An example of the wording for each of these is reproduced below.

The oath:	The affirmation:
I swear by Almighty God that I will faithfully try the defendant and give a true verdict according to the evidence.	I do solemnly, sincerely and truly declare and affirm that I will faithfully try the defendant and give a true verdict according to the evidence.

If you require a different oath according to your religion, you should let a court official know. They should be able to provide you with the appropriate holy book and oath, or will request that you bring your own copy of the holy scripture. If you prefer, the oath can also be read out for you to repeat.

The video will also explain the trial process and the roles of the different people that you will see in court. After the video, the jury officer will give you details of local facilities and go through the various forms you will have to fill in, for example to claim your expenses.

If you have a disability that the court does not already know about, please talk to the staff who will do their best to make your jury service comfortable. Staff will be on hand, throughout the day, to answer any questions you may have.

When you are selected to sit on a trial, the judge will give you further guidance on your responsibilities in the courtroom and during the trial. Once all of the evidence has been

presented in the trial and it is time for you to decide on your verdict, the judge will give you further guidance.

Important – The judge will tell you that you DO NOT discuss the evidence with anyone outside of your jury either face to face, over the telephone or over the internet via social networking sites such as Facebook, Twitter or Myspace. If you do this, you risk disclosing information, which is confidential to the jury. Each juror owes a duty of confidentiality to the other jurors, to the parties and to the court. Jurors can only discuss the evidence when all 12 jurors are in the jury deliberating room at the conclusion of the evidence in the trial. It is a criminal offence punishable with a fine and/or imprisonment for a juror to disclose to any person and particular statements made, opinions expressed, arguments advanced or votes cast by members of the jury in the course of their deliberations.

Important – It is an offence for anyone to attempt to interfere with or intimidate a juror in any case before the Crown Court. If anyone approaches you about a case you must tell a court official or police officer at once so that the matter can be reported to the trial judge.

Some people may feel that jury service is a daunting experience but most people find it interesting, satisfying and rewarding. Please remember that you will not be on your own and if you have any difficulties or concerns you can talk to court staff. There will be someone on hand to assist you at every stage of the process. The leaflet 'Supporting you through Jury Service' is available at court.

Important – if you are unsure or uneasy about anything during the trial, you should write this down and raise your hand to attract the attention of the usher. The usher will then pass your note to the judge who will deal with your query or concern.

If you feel ill or need to visit the toilet or if you cannot hear any part of the trial, you should also attract the usher's attention.

The trial process

All criminal trials follow a similar pattern. A defendant or series of defendants will have been accused of a crime.

All defendants are innocent until proven guilty of the crime. During the course of the trial, arguments and evidence will be presented. It is for the jury to decide if the arguments and evidence presented to it by the prosecution have made them sure beyond reasonable doubt that the defendant is guilty.

Where a trial is expected to last for more than four weeks, the court can select up to 14 jurors rather than the normal 12. This is to fill any vacancies that may occur due to one

or more of the selected jurors not being able to complete the trial. These vacancies will be identified before the start of the prosecution evidence and any additional jurors remaining at that stage will be discharged from that trial and eligible for selection on another jury.

Note taking – Jury members will be provided with a pen and paper so notes can be taken should you wish to do so. You are not required to take notes but you may find it useful. Any notes will remain in the courtroom and cannot be taken home. The notes can be taken to the deliberation room once deliberation begins. At the end of the trial the notes will be securely destroyed.

Start of the trial – the trial will begin with the court clerk reading aloud the charges against the defendant. The indictment is a list of these charges and you may be given a copy of it.

You will hear the evidence from the prosecution first, beginning with an outline of the details of the case. Once all the prosecution witnesses have been questioned, cross-examined and, if necessary, re-examined by the prosecution, it is the turn of the defence to put its case, if it wishes to do so. The defence may call its own witnesses who are, in turn, cross-examined by the prosecution and, if necessary, re-examined by the defence.

The judge may intervene at any time during the trial to prevent irrelevant questioning or argument, to protect witnesses to clarify issues or to keep the case within any agreed time scale.

Trying a case is a complicated legal process and there will be times when the judge and advocates may need to discuss a point of law. If this is the case, the judge will ask the jury to leave the court for a short time. It is possible that such discussions may unduly influence the jury's conclusion and it is for this reason that they are excluded from these discussions.

If you are asked to leave, an usher will lead you out of the courtroom to the waiting area outside. While you are out, the judge, prosecution and defence will discuss the legal implications of the point raised. Once this matter has been resolved, you will be asked back into the courtroom.

Closing speeches – once all the evidence has been given to the court, prosecution and defence advocates may make closing speeches. They will talk directly to the jury as they argue their respective cases.

Summing up and direction by the judge – at the end of the trial, the judge will explain the law to the jury and summarise the facts of the case. The judge will give directions about the duties of the jury before you retire to the jury deliberation room to consider the verdict.

At the end of the summing up, the judge should advise the jury to appoint a foreman. The foreman will act as the spokesperson for the jury and will announce the verdict.

In the jury deliberation room

An usher will take you and the other jurors to the jury room. You will be allowed to take into the jury room any notes you have made during the trial as well as a copy of the indictment. In some cases you may also be allowed to take exhibits submitted during the trial.

No mobile phones, laptops, iPods or any devices with the capability of connecting to the internet etc. can be taken into the jury room. Any juror in possession of one can be found in contempt of court, and can be fined or imprisoned.

While you are in the jury room you will not be allowed to have contact with anyone outside except by giving a note to the usher and you will be shown how to contact the usher should you need to.

It is the jury's role to reach a verdict on the trial it has heard. You must decide, based on the evidence presented in the courtroom, the argument of both sides and the directions of the judge, whether the defendant is guilty or not guilty of the charges made against him/her. It is for you and the other members of your jury alone to consider the evidence and reach a verdict. You must only discuss the case in the jury room when all the jurors are present.

If at any time during deliberations, you would like the judge to clarify or explain anything about the case, you may send a note via the usher. You will then go back into the courtroom and the judge will give you as much help as possible. Please note that no new evidence can be given at this stage.

You will be allowed plenty of time to discuss the evidence amongst yourselves and to make a decision upon which you all agree. However, in some cases, jurors do not all agree on the verdict. In these situations the judge may accept a decision upon which most of you, but not all of you are agreed. This is known as a majority verdict, but the judge will advise you on this.

When you have reached a verdict, you will be taken back to the courtroom. The court clerk will ask the jury foreman for the verdict. The foreman must take care to only answer the questions the court clerk asks.

When the verdict has been given, your work on that case is over. If you find the defendant guilty the judge may sentence immediately, or may ask for pre-sentence reports to be prepared by the Probation Service. If a pre-sentence report is required then the defendant will be called back at a later date for sentencing.

After the verdict has been given, you should stay in the jury box until an usher asks you to leave the courtroom and return to the jury assembly area. You must always report back to the court officials after a trial, as you may be a juror in more than one trial during your jury service.

Jury Determination – Important information for you

At the end of the trial proceedings, having heard all the evidence, the Judge will invite the Jury to retire to another room to determine their verdict. Once a Jury enters determination (sometimes referred to as deliberation) it cannot be disturbed and no admittance by any parties, except the jury bailiff, will be permitted to the determination room. Consequently, jurors are not permitted to leave the room (except for escorted comfort breaks) until a verdict is reached.

The court you attend may or may not have onsite catering facilities and/or access to vending machines, but you will not be released from the determination room to avail yourself of any refreshments until a verdict is reached or the Judge releases the jury for the day. Courts will provide carafes of water in the Jury determination room, but you are strongly advised to bring food with you to court or avail yourself of on-site facilities before you enter determination.

The Judge and/or Jury Manager will be able to advise you in advance of the likelihood of the case moving into determination. Please make suitable prior arrangements for your sustenance on the day of determination, and any subsequent days thereafter should determination extend beyond a day.

Delivering verdicts upon the direction of the judge

Occasionally you may be directed by the trial judge to return a particular verdict. This is likely to happen in one of the two situations:

The defendant decides during the course of the trial to change their plea from not guilty to guilty. In this particular case you would be asked by the judge to enter a guilty verdict upon the defendant's own admission of guilt. The judge may sentence immediately or may adjourn the sentence to another date so that pre-sentence reports can be prepared by the Probation Service.

The other situation is once the Prosecution have presented their case to you, sometimes the defence team make an application to the trial judge that there is not enough evidence to convict their client. The judge will hear legal argument from both sides and then make a ruling on the applications. If the judge rules in the favour of the defence the judge will direct the jury to deliver a verdict of not guilty, as the Prosecution's case is deemed too weak to proceed. The defendant will be acquitted. If this should happen your work on that case is over and you will be escorted by the usher to the jury assembly area.

Your employment

Some jurors feel concerned about the impact being on jury service will have on their job or career. Some worry about being unfairly treated and even fear being dismissed.

We advise you to stay in contact with your employer during your jury service so that you can keep them informed and they can highlight any problems they may have about your absence. Please speak to the jury officer or the usher if you or your employers have any concerns.

HM Courts & Tribunals Service strongly believes that people should feel secure about their employment when performing their civic duty. Therefore, employment law has been amended to protect jurors from penalties as a result of performing jury service. This might occur if, for example, a juror was prevented from going back to the same job or was being excluded from pay awards or promotional opportunities. Many jobs have skills that need to be current so an employer who insisted on retraining after a long absence (e.g. for safety reasons) would not necessarily be imposing a detriment.

Protection is also given against employers who dismiss their staff for performing jury service. However, employers are not liable for unlawful dismissal if they have told the employee that the absence would be likely to cause substantial injury to the business and the employee unreasonably refuses or fails to seek excusal or deferment of jury service.

If you still feel that issues with your employers have not been satisfactorily resolved, the judge may be able to offer you support and assistance. Please let the jury officer or usher know if you would like the judge to consider the problem.

Self-employed jurors

If you are self-employed, documentary evidence of loss of earnings or additional expenses incurred must be supplied e.g. proof of being registered as self-employed; a copy of a previous tax return; a letter from an accountant stating average daily income; an authenticated letter from someone who would have offered work, quoting the remuneration. If you do not have documentary evidence and you will incur a loss you need to speak to the jury manager immediately as you may not be entitled to any loss of earnings.

Insurance policies

There are various insurance policies that cover losses incurred while on jury service. If you require any information about your jury service from the court for insurance purposes, please let the jury officer know.

Travel insurance

This is the most common type of insurance that has provisions for jury service. If you need to cancel or rearrange a holiday booked during the time you are expected to sit on a trial and have travel insurance, we recommend that you check your policy (usually under Cancellation and Curtailment), to see if you are entitled to make a claim.

Please read the policy carefully as different policies can have very different terms.

Home or personal insurance

If you have or are covered by any form of home or personal insurance we advise you to read your policy (possibly under Legal Costs or Legal Protection) to establish if you are entitled to claim for any financial loss incurred as a result of doing jury service. It may be that the policy will cover costs that the court will not either because it is not within the court's remit or because the maximum threshold has been exceeded. Alternatively, the insurance may cover losses regardless of what the court allowances are and you may not have to claim from the court at all.

Again, the details will be set out in your policy documents.

Business insurance

Some business insurance policies also have provisions for losses incurred as a result of jury service. They can cover losses due to employees being called for jury service or, if you are self-employed, the cost of hiring someone to run your business for you while you are on jury service. They may also cover any losses incurred as a result of rearranging a business trip.

Juror Charter

The Juror Charter sets out the minimum standards that you, as a juror, can expect from HM Courts & Tribunals Service at each stage of your jury service, from returning your summons to returning your verdict.

You can download a copy of the Juror Charter at
<http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>
or you can ask the jury manager for a copy whilst at court.

Customer feedback

We are always open to suggestions as to how we might improve the service we give to jurors. You will find a feedback form or book in most jury waiting areas. If you think our staff deserve praise or a special mention we would also welcome such comments.

While we hope that the standard of service we provide does not lead you to make adverse comments, if you have a complaint, a member of staff will try to sort out your problem there and then. If you are still not happy with the outcome, you can speak to the customer service officer or the court manager.

Please note – judges do not comment on cases after the conclusion of the case; they cannot therefore enter into correspondence about cases they have heard. Court managers cannot look into complaints about barristers, solicitors or other organisations.

Judges are independent and the court manager cannot look at claims where you feel:

- the judge's decisions were unfair or wrong; or
- the judge did not handle the case properly.

If you want more information about how to complain, ask at court for our leaflet 'Unhappy with our service – what can you do?'

Frequently asked questions

Before the trial

Do I have to serve?

Yes. The Criminal Justice Act 2003 contained provisions to ensure that nearly all members of society are eligible for jury service. If you have been summoned for jury service and had your summons confirmed, then you are under a legal obligation to participate in the criminal justice process as a juror.

Can someone else take my place?

No. A summons is only for the person named on the summons. It cannot be transferred to anyone else. It is an offence for someone to impersonate a juror.

Can I take someone with me to the court?

It is recommended that you do not do so unless they are there to assist you (see the question below on special needs). You will not be able to be with them during the day, except possibly at lunchtime, and you will not be allowed to talk to them at all about a trial on which you are a juror.

Whilst at court

What time does the court sit?

The court normally sits from 10.30am to 4.30pm each day. However, depending on the way the trial progresses, the judge may ask you to sit longer or shorter hours on a daily basis.

Is there somewhere I can leave my children while I'm in court?

There are no child-minding facilities at courts. You may claim for any extra payments you have to make to a carer or a child-minder as a result of your jury service, provided that your claim for financial loss (including child-minding and loss of earnings) does not exceed the maximum stated on the allowance sheet and only if you do not normally use a child minder on the days you have been summoned for jury service. Collect a child-minding certificate from the jury enquiry desk; your child-minder needs to complete and return this. Claims are calculated on an individual basis.

What facilities are there for people with special needs?

Whilst many courts have full facilities for people with disabilities, please contact the jury manager at the court to which you have been summoned to establish what facilities they have, and to let them know in advance if you have special needs.

How long will I be kept waiting before being called to sit on a jury?

A trial involves many people who need to be 'trial ready' on the date their case is listed. Most cases start on time so jury members are not required to wait long before being called to serve on a jury.

However, if there are problems, for example, a witness has not arrived or the defendant is ill, then you may be required to wait until the court has resolved the matter. In other instances, the defendant may have pleaded guilty at the last minute, so the trial does not go ahead.

In such circumstances, it is difficult to predict how long you may need to wait and it is for this reason that you are advised to bring a book or other forms of personal pastime with you. The court will do all it can to ensure that you are not kept waiting long as it is not an efficient use of a jury, or public money, to have jurors waiting for a trial.

Does the court have facilities for prayer?

Some courts provide separate areas for prayer and quiet thought. Contact your local court jury manager for further information.

What if I need to talk to a member of court staff in private?

Ask the jury manager if you can have a private discussion. They will do their best to assist you.

Being chosen for and during the trial

Which trial will I serve on?

You won't know which trial you will be on until you have been sworn in. Even when you are taken to a courtroom, you may not be selected for that case. The reason for summoning jurors in this way is to ensure that they have made no prejudgements regarding the case they will hear, that they are impartial, and that they are chosen at random.

What if I'm asked to sit for longer than two weeks?

Whilst most cases can be successfully completed within two weeks, there will be some cases that take longer. If you are chosen to sit on such a case, the judge will usually advise you of this before you are sworn in.

If you are unable to sit for longer than two weeks, you should explain your reasons to the judge who will decide whether or not you will serve on that trial. The judge's decision is final.

What if I am approached by someone connected in the case?

If at any time during your jury service you are approached by anyone you think may be connected to the case you are hearing you need to make immediate contact with court staff or the jury manager.

What should I do if I have concerns during my jury service?

If you feel threatened or concerned at any stage as a juror then you need to make immediate contact with court staff. If you are not within the courthouse and you think you are in immediate danger then you should dial 999.

What if I don't understand what's being said?

The legal representatives know that most jury members are not familiar with what goes on inside the courtroom. They will usually try to express everything in a way that you can understand since it is you who will be deciding the verdict on the case. If you have any problem, you may pass a note to the judge via an usher to ask for clarification.

What if I feel unwell during my time on the jury?

If at any point you feel unwell, need to use the toilet or are distressed by the evidence, attract the attention of the court clerk or usher. If you feel unwell before getting to court on a day that you are required to sit on the jury, please call the jury officer as soon as possible. The trial you are sitting on may have to be delayed to wait for your return. This is extremely costly and wastes public money. For this reason it should be avoided if possible.

How can I find out what sentence was passed?

In the event of a conviction the judge may sentence immediately but may sometimes ask for reports or other information. It may be several weeks before those reports are available. If you want to know the outcome of a case, you can contact the court the day after the fixed date for sentence.

How many trials will I sit on?

The majority of cases take two to three days, so it is likely you will sit on more than one trial over your two-week period. This will depend on the circumstances of the trials for which you are selected.